

REMARKS

Rejections of all of the claims under 35 §102 for lack of novelty as being anticipated by US 3 453 470 have been made by the Examiner, inter alia stating on page 2, last five lines that *Hammer* reveals a spacer which has a second end part (7) adjoining outer end plane. This “apertured” body member 7 is actually separated from the spacer 26 by the metal shell 8, which has high heat conductivity in contrast to the definition of the main claim. The entire spacer of the present invention has low heat conductivity and makes it very easy to assemble the main and outer tubes of the lamp. The present claim 1 has been amended to incorporate the restrictions of the previous Claim 2, i.e. specifying radial projections extending outwardly from the second end part of the spacer. That the projections are outwardly projecting is evident from Fig. 3 and page 8, lines 2-5. The projections are restricted to being a “plurality “ of projections.

Hammer does not disclose that that the second end part of the spacer has a plurality of outwardly radially-projecting guide elements, against which the end surface of the outer tube can make contact, in order to make easier the assembly of the outer tube and the end cap when assembling the fluorescent lamp, thereby removing the lack of novelty objection.

Non-obviousness

Hammer discloses a fluorescent lamp having a heat insulating outer tube and insulating means for insulating the main tube from cooling. There is a similarity between the *Hammer* lamp and the claimed invention in their field of use. The lamp of *Hammer* is designed to insulate of the ends of the lamp. The *Hammer* disclosure thus has a number of functional features in common with the invention.

One main difference between *Hammer* and the present invention is that the second end part of the spacer has a plurality of outwardly radially-projecting guide elements against which the end surface of the outer tube can make contact, in order to facilitate the assembly of the outer tube and the end cap when assembling the fluorescent lamp.

This difference has the effect, during the assembly, that the main tube having the spacer comprising the guide elements will center the main tube coaxially in the outer tube at the same time as a joining layer of insulating paste can be applied easily filling the gaps between the guide elements for joining the spacer with the outer tube. The lamp shown in *Hammer*

has no automatic centering and requires careful insertion of the tubes in a more complex composite spacer assembly.

The technical objective problem to be solved by the skilled person in view of Hammer is how to provide a fluorescent lamp adapted for cold environment wherein the inner tube having said low heat conductivity spacer easily can be mounted within the outer tube.

This is solved by arranging the second end part of the spacer such that it has a plurality of outwardly radially-projecting guide elements against which the end surface of the outer tube can make contact.

The inventive solution is not obvious since Hammer discloses inwardly radially-projecting guide elements having no contact with the outer tube. Hammer thus does not lead the skilled person to arrange the spacer with radially-projecting guide elements for contact with the outer tube for more convenient mounting.

The guide elements (8) of Hammer project partly axially and are bent inwardly. There is no incentive to arrange the guide elements onto the spacer such that they will come into contact with the outer tube. The skilled person will find that the taper in wall (25) will have contact with the outer tube assuring good frictional engagement and he will see no reason to provide guide elements on the periphery of the spacer. The knob-like portion (26) is not even in contact with the outer tube.

Since the solution in *Hammer* lies in a completely different assembly of elements and the skilled person would be directed away by *Hammer* from the present inventive solution it is respectfully submitted that the invention must be held to be non-obvious over the disclosure of *Hammer*.

In the event there are any questions concerning this Amendment, or the application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of the application may be expedited.

No additional fees are believed to be due at this time beyond the 1 month extension fee. However, if necessary to effect a timely response the Commissioner is authorised to deduct the necessary fees from Deposit account No. 501249.

Respectfully submitted,

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